GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Prohibition & Excise Department – Allegations of Criminal Misconduct and Criminal conspiracy against P&E Officials of Guntur district for their involvement in liquor syndicate case – Placed Sri T.Jayasena Reddy, former P&E Superintendent, Guntur; Sri B.Venkatesh Netha, former P&E Sudpt., Narasaraopet, Guntur District and Sri G.Janardhan Reddy, former Asst. P&E Supdt., Tenali, Guntur district (Presently working in Telangana State) on his defence before COI among others – Withdrawal their cases from COI, as they were allotted to Telangana State under A.P.Re-organization Act, 2014 - Orders – Issued.

REVENUE (VIG.IV) DEPARTMENT

G.O.Rt.No.994 **Dated:28.12.2020.**

Read the following:

1. From DG, ACB, Hyd Rc.No.61/RCO-VGT/2012, dated 12.11.2012. (Cr.No.05/ RCO-ACB-VJA/ 2012, dt.11.04.2012)
2. Govt.Memo.No.51902/Vig.V(2)/2012-2, 16.01.2013.
3. From DG, ACB, Hyd., Lr.Rc.No.61/RCO-VGT/2012, Dt.12.04.2013.
4. G.O.Rt.No.701. 703 & 707, Rev (Vig.V) Dept., dt. 25.05.2013.
5. G.O.Rt.No.431 Rev (Vig.IV) Dept., dt. 13.04.2016.
6. G.O.Rt.No.1205 Rev (Vig.IV) Dept., dt.17.11.2017.
7. G.O.Rt.No.282 Rev (Vig.IV) Dept., dt. 23.02.2018.
8. From DG, ACB Lr in C.No.61/RCO-VGT/2012, dt.25.10.2018.
9. G.O.Rt.No.1505 Rev (Vig.IV) Dept., dt.31.10.2018.
10. G.O.Rt.No.1560 Rev (Vig.IV) Dept., dt. 09.11.2018
11. G.O.Rt.No.239 Rev (Vig.IV) Dept., dt. 19.02.2020.
12. G.O.Rt.No.111, GA (SR-I) Dept., dated 11.05.2016
13. G.O.Rt.No.139, GA (SR-II) Dept., dt.07.11.2019.
14. Judgment dated 13.08.2019 of the APHC in Writ Petition No.12614/2019 filed by Sri T.Jayasena Reddy, former P&E Supdt., Guntur presently working as Dy.Commr, P&E Dept., Mahabubnagar, Telangana State.
15. From Sri B.Venkatesh Netha, former P&E Sudpt., Narasaraopet, representation.
16. Circular Memo No.27021/1/2018/SER.C/18-1, General Administration (Services. C) Department, dated 30.04.2018.

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ORDER:

Whereas in the reference 1st read above, the Director General, Anti Corruption Bureau has furnished final report stating that certain Prohibition and Excise Officials of Guntur district were involved in liquor syndicate case and recommended to place the Eleven (11) Prohibition & Excise Officials including Sri T.Jayasena Reddy, former Prohibition & Excise Superintendent, Guntur; Sri B.Venkatesh Netha, former Prohibition & Excise Superintendent, Narasaraopet, Guntur District and Sri G.Janardhan Reddy, former Assistant Prohibition & Excise Superintendent, Tenali, Guntur district (Presently working in Telangana State) on their defence before the Commissioner of Inquiries in the case.

2. In the reference 2nd read above, the Government have placed them on their defense before Commissioner of Inquiries including Sri T.Jayasena Reddy, former Prohibition & Excise Superintendent, Guntur; Sri B.Venkatesh Netha, former Prohibition & Excise Superintendent, Narasaraopet, Guntur District and Sri G.Janardhan Reddy, former Assistant Prohibition & Excise Superintendent, Tenali, Guntur district (Presently working in Telangana State) and also requested the Director General, Anti Corruption Bureau to furnish draft Article of Charges to the Government.

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3. Whereas the Government have framed Articles of Charges against Sri T.Jayasena Reddy, former Prohibition & Excise Superintendent; Sri B.Venkatesh Netha, former Prohibition & Excise Superintendent; and Sri G.Janardhan Reddy, former Assistant Prohibition & Excise Superintendent, vide reference 4th read above along with others.

4. And whereas the Government have appointed Dr.Premchand, IAS (Retired), Commissioner of Inquiries as Inquiring Authority to inquiry into the charges framed against Charged Officers including Sri T.Jayasena Reddy, former Prohibition & Excise Superintendent; Sri B.Venkatesh Netha, former Prohibition & Excise Superintendent; and Sri G.Janardhan Reddy, former Assistant Prohibition & Excise Superintendent, vide reference 5th read above. Subsequently, Government have reassigned the above case to Sri Lingaraj Panigrahi, IAS, Commissioner of Inquiries; Sri P.K.Sarangi, IFS, Commissioner of Inquiries; Sri J.Satyanarayana, IPS(R), Commissioner of Inquiries and to Sri T.A.Tripati, IPS, Commissioner of Inquiries as inquiring authorities to conduct inquiry into the charges framed against the Charged Officers vide references 6th , 7th , 10th & 11th read above respectively. Sri M.Vara Prasad, Advocate has appointed as Presenting Officer vide reference 9th read above.

5. Whereas the General Administration (SR-I) Department have issued orders allocating the Excise Superintendent of combined State of Andhra Pradesh to the both States, i.e., Residuary State of Andhra Pradesh and State of Telangana, in which Sri B.Venkatesh Netha, former Prohibition & Excise Superintendent and Sri T.Jayasena Reddy, former Prohibition & Excise Superintendent was allotted to Telangana State vide reference 12th read above and also Sri G.Janardhan Reddy, former Assistant Prohibition & Excise Superintendent, was allotted to Telangana State vide reference 13th read above.

6. Sri T.Jayasena Reddy, former Prohibition & Excise Superintendent, Guntur presently working as Deputy Commissioner, Prohibition & Excise Department, Mahabubnagar, Telangana State has filed W.P.No.12614 of 2019 before the Hon'ble High Court of Andhra Pradesh with prayer to set aside his charge memo issued in G.O.Rt.No.701, dated 25.05.2013. In the reference 14th read above, the Hon'ble High Court has passed the following orders (operative portion) on 13.08.2019:

> "4. Hence, in view of the above circumstances, the respondents are directed to concluded the enquiry pending against the petitioner, within a period of three months from the date of receipt of a copy of this order, failing which the charge memo vide G.O.Rt.No.701, Revenue (Vigilance-V) Department dated 25.05.2013, shall stand quashed.
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> 5. The writ petition, with the above directions, is disposed of. As a sequel, miscellaneous petitions pending consideration if any in the writ petition shall stand closed".

7. Sri B.Venkatesh Netha, former Prohibition & Excise Superintendent, Narasaraopet in his representation has stated among other things, requested to split his case from other Charged Officers and issue orders for completing inquiry immediately in the State of Andhra Pradesh vide reference 15th read above.

8. The Government of Andhra Pradesh have examined the issue of competence of the authority to deal with the Disciplinary Cases against the Government Employees prior to the Bifurcation of the State and who were allotted to the State of Andhra Pradesh, keeping in view the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991; Provisions of Andhra Pradesh Reorganization Act, 2014 and also relevant Judgments of Hon'ble Jharkhand High Court [(i)State of Bihar Vs Arvind Vijay Bilung and (ii) Bhupendra Singh Vs State of Jharkhand & Others], clarified that the Government of Andhra Pradesh shall be appointing and disciplinary authority in respect

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of the employees who as on appointed day is serving, posted and allocated to the State of Andhra Pradesh. This is irrespective of the accrual of cause of action at any point of time before the appointed day or the place where such cause of action occurred vide reference 16th read above.

9. After examine the matter in detail, Government have decided and hereby order to withdraw the cases of Sri T.Jayasena Reddy, former Prohibition & Excise Superintendent, Guntur; Sri B.Venkatesh Netha, former Prohibition & Excise Superintendent, Narasaraopet, Guntur District and Sri G.Janardhan Reddy, former Assistant Prohibition & Excise Superintendent, Tenali, Guntur district (Presently working in Telangana State) from Commissioner of Inquiries in liquor syndicate case of Guntur district and to send all the material in respect of him to the State of Telangana for taking necessary action, as they were allotted to Telangana State as per Andhra Pradesh Reorganization Act, 2014.

10. The General Administration (COI-TAT) Department will take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
Sri T.Jayasena Reddy, former Prohibition & Excise Superintendent, Guntur.(through the Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada)
Sri B.Venkatesh Netha, former Prohibition & Excise Superintendent, Narasaraopet, Guntur.(through the Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada)
Sri G.Janardhan Reddy, former Assistant Prohibition & Excise Superintendent, Tenali, Guntur.(through the Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada)
The Special Chief Secretary, Rev(Vig.II) Dept., Telangana Secretariat, Hyderabad.
The Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada.
Sri M.Vara Prasada Rao, Advocate/Presenting Officer, H.No.8-2-268/13, Sriniketan Colony, Road No.3, Banjara Hills, Hyderabad.
Copy to:
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi, Guntur District.
The Commissioner of Prohibition and Excise, Telangana State, Hyderabad.
The Director General, Anti Corruption Bureau, Andhra Pradesh, P.N.Bus Station, II Floor, NTR Administrative Block, Vijayawada.
The Revenue (Exc.-I) Department, AP.Secretariat, Velagapudi.
The Government Pleader for Services, Andhra Pradesh High Court of Judicature at Amaravati.
SF / SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER